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**DIRECTOR'S OFFICE
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HOUSTON TX 77010

In re Application of
Dominique Hamery
Application No. 09/622,246
Filed: August 15, 2000
For: **PROCESSING OF DIGITAL PICTURE
DATA IN A DECODER**

DECISION ON PETITION

This is a decision on the Petition to Withdraw Erroneous Notice of Abandonment filed December 16, 2004, pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The application was held abandoned for failure to respond in a timely manner and effective manner to the Office communication mailed May 10, 2004. A Notice of Abandonment was mailed December 13, 2004.

Petitioner alleges to have timely filed a response to said Office communication on July 12, 2004. In support thereof, Petitioner provided evidence in the way of a copy of a stamped post card, copy of an express mail receipt, copy of the response transmittal letter, a copy of a certificate of mailing and a copy of the response filed.

A review of the file records reveals that the original amendment filed on July 12, 2004 has been located and matched with the file.

In view of the above stated reason, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Any inconvenience caused petitioner is regretted.

The petition is **GRANTED**.

The file will be forwarded to the Technology Center's technical support staff for entry of the amendment filed July 12, 2004. From there, the file will be forwarded to the examiner for consideration in due course.

Dwayne Bost
Special Program Examiner
Technology Center 2600
Communications